

**REMARKS**

Claims 1 and 3-11 are pending.

Claims 1-4 stand rejected under 35 USC 102(b) as being anticipated by Wootton (US 6,128,298). Applicants note that claim 2 is not pending, rendering its rejection moot. Applicants traverse the rejection.

A proper rejection for anticipation under 35 USC 102(b) requires that “[e]very element of the claimed invention must be literally present, arranged as in the claim. ... The identical invention must be shown in as complete detail as is contained in the patent claim.” *Richardson v. Suzuki Motor Co., Ltd.*, 868 F.2d 1226, 1236 (Fed. Cir. 1983). Applicant submits that the subject matter defined by claim 1 and its dependent claims 3 and 4 is not identically disclosed in Wootton. Consequently, Wootton fails to anticipate claims 1, 3, and 4 under 35 USC 102(b).

Claim 1 recites a system comprising, among other things, an IP device located on a public network and a second device located outside the public network, the second device not including a listening socket, where a connection between the IP device and the second device is initiated by the second device and where the IP device cannot initiate a connection with the second device due to the second device not having a listening socket.

A similar system is not identically disclosed in Wootton. Wootton does not identically disclose a device that both initiates a connection and does not include a listening socket. Contrary to the Action’s assertion, page 2, item 2, and page 13, item 6, Wootton does not disclose that its private nodes do not include listening sockets, as in claim 1. The mere fact that Wootton’s private nodes initiate communication with its public nodes is not a disclosure that the private nodes do not include listening sockets. Rather, Wootton must also disclose that the private nodes lack listening sockets, which Wootton does not. It is improper to conclude that, because Wootton’s private nodes initiate communication, they must also lack listening sockets, without any disclosure to that effect.

Until the Action can point to a specific disclosure in Wootton that the private nodes lack listening sockets, the Action has not established *prima facie* anticipation.

Moreover, only Applicants' disclosure teaches a device both initiating a connection and lacking listening sockets. It is impermissible hindsight reasoning, based solely on Applicants' disclosure, to assert that Wootton's private nodes do not have listening sockets. Wootton makes no such disclosure.

Furthermore, it does not necessarily follow that initiating communication bars having listening sockets in Wootton. Indeed, Wootton's private nodes can still have listening sockets for receiving communication from other private nodes, for example. Wootton does not disclose otherwise.

For at least these reasons, Wootton does not anticipate claims 1, 3, and 4.

Claims 5-11 stand rejected under 35 USC 103(a) as being unpatentable over Wootton in view of Andersson (US 6,931,016). Applicants note that there is a typographical error in the rejection, where the rejection of claims 5-11 should actually read as the rejection of claims 5-8. Applicants traverse the rejection.

The deficiencies of Wootton are not overcome by Andersson because Andersson also fails to disclose a device that initiates a connection and does not include listening sockets, as in claim 1. Claim 1 and its dependent claims 5-7 are patentable over Wootton in view of Andersson.

Claim 8 recites a system comprising, among other things, an IP device located on a public network and a second device located on a private network, the second device not including a listening socket, where a connection between the IP device and the second device is initiated by the second device and where the IP device cannot initiate a connection with the second device.

Similar to the reasons described above with respect to claim 1, Wootton does not disclose a device that initiates a connection and does not include a listening socket, as in claim 8. The

deficiencies of Wootton are not overcome by Andersson. Claim 8 is patentable over Wootton in view of Andersson.

Claims 9-11 stand rejected under 35 USC 103(a) as being unpatentable over Wootton in view of Foulkes (WO 02/30082). Applicants traverse the rejection.

Claim 9 recites a method comprising, among other things, providing on a public network an IP device having an application that corresponds to a listening function of a website; providing an application corresponding to a responder function of a website, where the responder application is isolated from the IP device; the responder application registering with the listening application and subscribing to receive incoming requests by initiating a communication channel to the listening application; the listening application receiving a request from a remote application and sending incoming requests only to the registered responder application; processing the incoming requests by the responder application; and returning results to the remote application via the listening application.

The combination of Wootton and Foulkes neither discloses nor suggests the method of claim 9. Contrary to the Action's assertion, page 7, item 5, and page 14, item 6, Wootton does not disclose its IP filter operating as the responder application of claim 9, its public nodes operating as the IP device having a listening application of claim 9, and its private nodes operating as the remote application of claim 9. To do so, Wootton would have had to disclose its filter and nodes operating in the same manner as recited in claim 9. Wootton does not. For example, Wootton's public nodes are not the IP device that Applicants claim because Wootton's public nodes do not receive a request from the private nodes (i.e., "the listening application receiving a request from a remote application") and do not return results to the private nodes (i.e., "returning results to the remote application via the listening application"). Rather, Wootton's public nodes can only receive a request from the IP filter and return results to the IP filter because the private nodes are unknown to the public nodes. See, e.g., Wootton, col. 5, lines 9-11. For similar reasons, Wootton's private

nodes are not the remote application that Applicants claim. In another example, Wootton's IP filter is not the responder application that Applicants claim because Wootton's IP filter does not subscribe to receive incoming requests from the public nodes (i.e., "the responder application...subscribing to receiving incoming requests by initiating a communication channel to the listening application") and does not process such requests (i.e., "processing the incoming requests by the responder application"). Rather, Wootton's IP filter can only receive a reply to a request from the public nodes, where the filter sends a request and receives a reply to the request by initiating communication. Wootton's IP filter does not accept or process requests from the public nodes. See, e.g., Wootton, col. 4, lines 30-31.

Additionally, contrary to the Action's assertion, pages 7-8, item 5, Foulkes does not disclose its IP security server operating as the IP device having a listening application of claim 9, its secure server operating as the remote application of claim 9, and its IP client operating as the responder application of claim 9. To do so, Foulkes would have had to disclose its filter and nodes operating in the same manner as recited in claim 9. Foulkes does not. For example, Foulkes' IP security server is not the IP device having a listening application that Applicants claim because Foulkes' security server does not receive a request from the secure server (i.e., "the listening application receiving a request from a remote application") and does not send the request only to the IP client (i.e., "the listening application...sending incoming requests only to the registered responder application"). Rather, Foulkes' security server sends a request to the secure server and receives a validation response from the secure server in return. Moreover, when the security server receives the validation response from the secure server, the security server does not send the validation response only to the IP client., but instead can send the validation response to Foulkes' target server. See, e.g., Foulkes, page 8, last paragraph. For similar reasons, Foulkes' secure server is not the remote application that Applicants claim. In another example, Foulkes' IP client is not the responder application that Applicants claim because Foulkes' IP client does not return results

obtained by processing the incoming requests to the secure server (i.e., “processing the incoming requests by the responder application,” and “returning results to the remote application via the listening application”). Rather, after the secure server sends the validation response, it is no longer involved in any part of the of Foulkes’ process.

Since neither Wootton nor Foulkes discloses the method of claim 9, their combination also fails to do so. Claim 9 is patentable over Wootton in view of Foulkes.

Claim 10 recites a method comprising, among other things, providing on a public network an IP device having an application that corresponds to a listening function of a website; providing on a private network a second IP device having an application corresponding to a responder function of a website; the responder application initiating an outgoing TCP connection to the listening application and registering to receive incoming requests; the listening application receiving a request from a remote application and sending incoming requests to the responder application; processing the incoming requests by the responder application by optionally accessing the source data; and returning results to the remote application via the listening application.

Similar to the reasons described above with respect to claim 9, Wootton does not disclose the method of claim 10. The deficiencies of Wootton are not overcome by Foulkes because Foulkes also fails to disclose the method of claim 10. Claim 10 is patentable over Wootton in view of Foulkes.

Claim 11 recites a method comprising, among other things, providing on a private network an IP device having an application corresponding to a responder function of a website, the IP device not including a listening socket, providing on a public network a second IP device having an application that corresponds to a listening function of a website, and causing the responder application in the IP device to establish a connection with the listening application in the second IP device.

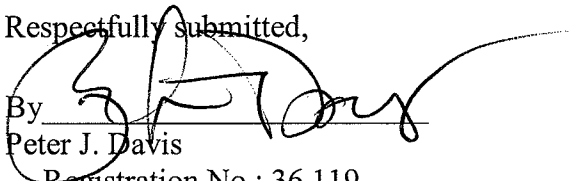
Similar to the reasons described above with respect to claim 1, Wootton does not disclose a device having a responder application that establishes a connection and not having a listening socket, as in claim 11. The deficiencies of Wootton are not overcome by Foulkes because Foulkes also fails to disclose a device having a responder application that establishes a connection and not having a listening socket. Claim 11 is patentable over Wootton in view of Foulkes.

In view of the above, this application is in condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the rejections and pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. **496332000300**.

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Respectfully submitted,

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